

**EXHIBIT
A**

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
(PHILADELPHIA)**

In Re:

Shahidul Gaffar

Debtor

Chapter 13

Case No.: 20-14168-mdc

Hearing Date: February 2, 2021

Time: 10:30 A.M.

Location: COURTROOM #2

**STIPULATION IN SETTLEMENT OF MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

It is hereby stipulated by and between Hill Wallack, LLP, as counsel for PENTEX HOLDINGS, LLC (“Movant”), and Brad J. Sadek, Esquire, counsel for the Debtor, Shahidul Gaffar (“Debtor”), as follows:

1. The Automatic Stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. The Stipulation pertains to the property located at 212 N Springfield Road, Clifton Heights, PA 19018 (the “Property”).
3. The parties agree that the total post-petition arrearage due to Movant consists of the regular monthly payments due November 1, 2020 through January 1, 2021, in the amount of \$3,748.08 (\$1,249.36 x 3 months), plus Attorney’s Fees in the amount of \$1,238.00 for a total amount due of \$4,986.08.
4. Debtor is to file an Amended Chapter 13 Plan within 30 days of entry of this Order incorporating the post-petition arrears in the amount of \$4,986.08 to be cured over the life of the Plan.

5. Beginning February 1, 2021, Debtor shall commence payment of the regular monthly payment in the amount of \$1,249.36/mo.
6. Should the Debtor fail to file the Amended Chapter 13 Plan, or if any regular monthly mortgage payment commencing February 1, 2021 is more than ten (10) days late, Movant shall send Debtor and Debtor's counsel a written Notice of Default of this Stipulation. If the default is not cured within ten (10) days of the date of the Notice, counsel shall file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay and Co-Debtor Stay, waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.
7. In the event the Debtor converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor fail to bring the loan contractually current, Movant shall send Debtor and counsel a written Notice of Default of this Stipulation. If the default is not cured within ten (10) days of the date of the Notice, counsel shall file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay and Co-Debtor Stay, waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.
8. Debtor's tendering of a check to PENTEX HOLDINGS, LLC, which is subsequently returned due to insufficient funds in the account upon which the check is drawn, shall not constitute payment as the term is used in this Stipulation.
9. The parties stipulate that Movant shall be permitted to communicate with the Debtor and Debtor's Counsel to the extent necessary to comply with applicable non-bankruptcy law.
10. The parties agree that a facsimile signature shall be considered an original signature.

/s/ Michael Shavel

Michael Shavel, Esquire
Counsel for Movant

/s/ Brad J. Sadek

Brad J. Sadek, Esquire
Counsel for Debtor

No Objection - Without Prejudice to Any Trustee Rights or Remedies

/s/ LeeAne O. Huggins February 1, 2021

For

William C. Miller, Esquire, Chapter 13 Trustee

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**ORDER APPROVING THE STIPULATION RESOLVING THE
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

AND NOW, _____ it is hereby ORDERED that the corresponding Stipulation is hereby approved, shall be, and is hereby made an Order of this Court.

Magdeline D. Coleman, U.S.B.J.



EXHIBIT

B

Exhibit Page 5 of 5

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Kaitlin Shire, Esquire
Email: kshire@HillWallack.com
Direct Dial: 267-794-6113

September 1, 2021

Via First-Class Mail

Shahidul Gaffar
16 Hunt Club Drive
Collegeville, PA 19426

Re: *Pentex Holdings, LLC v. Shahidul Gaffar*
Eastern District (Philadelphia) 20-14168-mdc

Dear Sir/Madam:

Please be advised that you are in default under the terms of the Stipulation approved on February 3, 2021.

As of September 1, 2021, the following payments are due and owing:

Regular Monthly Payment: 06/01/21 through 09/01/21 @ \$1,249.36	\$4,997.44
Total Due	\$4,997.44

If the default is not cured within ten (10) days from the date of this notice, a Certificate of Default requesting relief from the automatic stay will be filed.

Very truly yours,

/s/Kaitlin D. Shire
Kaitlin D. Shire, Esquire

KDS/lmh
Cc: Brad J. Sadek, Esq.

THIS FIRM IS A DEBT COLLECTOR, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOUR PERSONAL LIABILITY FOR THE DEBT HAS BEEN DISCHARGED IN BANKRUPTCY, WE ARE ONLY PROCEEDING AGAINST THE REAL ESTATE SECURITY BY THE MORTGAGE.